



ACQUISITION,
TECHNOLOGY
AND LOGISTICS

OFFICE OF THE UNDER SECRETARY OF DEFENSE

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MEMORANDUM FOR DEPUTY ASSISTANT SECRETARY OF ARMY
(ENVIRONMENT, SAFETY & OCCUPATIONAL
HEALTH)
DEPUTY ASSISTANT SECRETARY OF NAVY
(ENVIRONMENT)
DEPUTY ASSISTANT SECRETARY OF AIR FORCE
(ENVIRONMENT, SAFETY & OCCUPATIONAL
HEALTH)
STAFF DIRECTOR, ENVIRONMENT & SAFETY, DEFENSE
LOGISTICS AGENCY SUPPORT SERVICES

SUBJECT: DoD Policy on Drinking Water Vulnerability Assessments and Emergency
Response Plans

Section 401 of the Public Health Security and Bioterrorism Preparedness and Response Act of 2002 (Section 401) recently amended the Safe Drinking Water Act (SDWA). The amendments require all community water systems serving a population greater than 3,300 persons to conduct water system vulnerability assessments and develop or revise emergency response plans accordingly. DoD Components should have already taken the appropriate action to ensure their installations comply with these requirements.

In addition, DoD Instruction 2000.18, *Department of Defense Installation Chemical, Biological, Radiological, Nuclear and High-Yield Explosive Emergency Response Guidelines*, dated December 4, 2002, requires annual vulnerability assessments. The attached policy builds upon the SDWA amendments and DoDI 2000.18 guidelines and requires that all provisions of Section 401, excluding reporting requirements, will be applicable to drinking water systems serving greater than 25 DoD consumers.

Please provide a progress update on your implementation of the attached policy at the next scheduled Environmental Management in-progress-review in December 2003. If there are questions, please contact Mr. Ed Miller from my office (703) 604-1765) or Major Peter Breed, Air Force Medical Operations Agency/SGZE (202) 767-4317).

John Paul Woodley, Jr.
Assistant Deputy Under Secretary of Defense
(Environment, Safety and Occupational Health)

Attachment:
As stated



**DoD Policy on Drinking Water Vulnerability Assessments and Emergency Response
Plans as Required by the Safe Drinking Water Act Amendments and in Support of the
DoD Vulnerability Assessment Process**

June 2003

Section 401 of the Public Health Security and Bioterrorism Preparedness and Response Act of 2002 (Section 401) amended the Safe Drinking Water Act (SDWA) and required all community water systems (CWSs) serving a population greater than 3,300 persons, to conduct water system vulnerability assessments (WSVAs) and develop or revise emergency response plans (ERPs) accordingly.¹

DoD has many water systems that are not specifically addressed by Section 401. Nevertheless, the unquestionable threats and unique missions executed at DoD facilities warrant additional efforts to protect our people, our critical assets, and our mission. DoD Instruction 2000.16, *DoD Antiterrorism Standards*, and DoD Instruction 2000.18, *Department of Defense Installation Chemical, Biological, Radiological, Nuclear and High-Yield Explosive Emergency Response Guidelines*, require DoD installations to conduct annual vulnerability assessments to protect our people and our mission. Additionally, DoDI 2000.18 mandates vulnerability analysis and risk assessments for all critical nodes and infrastructure at all DoD facilities.² To adequately assess drinking water systems, all facilities having a public water system serving greater than 25 DoD consumers³ shall, at a minimum, address the assessment areas established by Section 401:

- a review of pipes and constructed conveyances;
- physical barriers;
- water collection, pretreatment, treatment, storage and distribution facilities;
- electronic, computer or other automated systems which are utilized by the public water system;
- the use, storage, or handling of various chemicals; and,
- the operation and maintenance of the system.

Systems serving greater than 25 DoD consumers that must comply with this policy include overseas systems that produce water or are provided water by a local supplier, consecutive and unregulated systems in the U.S. and its possessions and territories, and all

¹ Public Health Security and Bioterrorism Preparedness and Response Act of 2002, Pub. L. No. 107-188 § 401, 116 Stat. 594, 682-85 (2002) (codified at 42 U.S.C. 3001-2).

² Enclosure 3, paragraphs E3.2.2.8, E3.8.4, and E3.8.7.

³ Public water system means a system for the provision to the public of water for human consumption through pipes or, after August 5, 1998, other constructed conveyances, if such system has at least fifteen service connections or regularly serves an average of at least twenty-five individuals daily at least 60 days out of the year. Such term includes: any collection, treatment, storage, and distribution facilities under control of the operator of such system and used primarily in connection with such system; and any collection or pretreatment storage facilities not under such control which are used primarily in connection with such system. Such term does not include any "special irrigation district." A public water system is either a "community water system" or a "noncommunity water system." 40 C.F.R. 141.2.

small community and non-community public water systems (PWS) in the U.S. and its possessions and territories.⁴

DoD Components will determine an appropriate timeframe and any internal reporting requirements for their overseas, consecutive, unregulated, and small community and non-community PWS subject to this policy. DoD Components that receive water from privatized systems (i.e., unregulated systems that do not own their own treatment, distribution, and storage facilities, including but not limited to non-located leased facilities) should contact their water suppliers to ensure they conduct appropriate WSVAs and provide the findings relevant to the DoD water supply.

WSVA requirements fall under the combined purview of the environmental, facilities, medical, engineering, intelligence, security, and force protection communities (Antiterrorism Working Group). Each DoD Component shall decide which functional office shall be responsible to implement the WSVAs and subsequent ERP requirements. While individual DoD Components may maintain their own requirements for WSVAs, at a minimum they will address the Section 401 assessment areas noted above. Efforts conducted in accordance with this policy will support comprehensive installation vulnerability assessments and integrate efforts directed by DoDI 2000.16 and DoDI 2000.18.

For security reasons, DoD Components should control data collected during the WSVAs and appropriately classify final WSVAs and ERPs. Only EPA regulated CWSs will transfer the WSVAs, WSVAs certification, and ERP certification to the EPA as required by Section 401. All other systems covered under this policy will restrict their WSVAs to internal use only. Due to unique EPA report submittal requirements and DoD security requirements, each DoD Component will designate its "single point of contact" responsible for the release and hand delivery of the WSVAs to EPA in accordance with EPA instructions. DoD Component commanders should include conduct of WSVAs as part of their annual program reviews.

To ensure compliance with Section 401 or this policy, as applicable to each water system, completion of the WSVAs and updating the installation ERPs are categorized as "Class 1" items according to DoD Instruction 4715.6, "Environmental Compliance" dated April 24, 1996. Each DoD Component is responsible for programming and sourcing funds to correct any deficiencies identified within their Service-specific anti-terrorism / force protection

⁴ Id., Community water system means a public water system which serves at least 15 service connections used by year-round residents or regularly serves at least 25 year-round residents.

Non-community water system means a public water system that is not a community water system. A non-community water system is either a "transient non-community water system (TWS)" or a "non-transient non-community water system (NTNCWS)."

Non-transient non-community water system or NTNCWS means a public water system that is not a community water system and that regularly serves at least 25 of the same persons over 6 months per year. Transient non-community water system or TWS means a non-community water system that does not regularly serve at least 25 of the same persons over six months per year.

Transient non-community water system or TWS means a non-community water system that does not regularly serve at least 25 of the same persons over six months per year.

(AT/FP) programs. These deficiencies must compete within the overall AT/FP umbrella based on Service priorities.

Additional information on conducting WSVAs, including the document, *Instructions to Assist Community Water Systems in Complying with the Public Health Security and Bioterrorism Preparedness and Response Act of 2002*, are located at the following EPA web site: <http://www.epa.gov/safewater/security/>. For security control, classification, and delivery of WSVAs documents, additional references include: EO 12958, National Security Information," DOD 5200.1-R, Information Security Program Regulation," and DOD 5220.22M, "National Industrial Security Program Operating Manual."